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PATENT APPLICATION  
Serial Number: 10/814,731  
Attorney Docket Number: OFE 1854REMARKS

Applicants hereby submit this Amendment D, responsive to the Non-Final Rejection - Office Action—Date Mailed: August 25, 2010, Paper No. 20100804; for which a response is due three [3] months from the date of mailing of the Office Action: November 25, 2010.

Claims 1-57 are hereby currently pending. Claims 1-57 are currently rejected. Claims 1, 43, and 54, are hereby currently amended. Claims 3, 27, 29, 31, 33-35, 41-42, 55, and 57, were previously presented. Claims 2, 4-26, 28, 30, 32, 36-40, 44-53 and 56 are original. No new matter has been added. No additional fee is due.

No additional fee is presently due. The Director has already been authorized to charge any fees that are due (or credit any refunds owing back) in this Application to Sitrick and Sitrick's USPTO Deposit Account: 50-1166.

Reconsideration is requested.

Applicants' Attorney thanks Examiner for the brief telephone discussion on October 7, 2010, regarding clarification of the patentable distinguishability of the herein pending claim language (first location, self contained, etc.) over the cited references.

Claims 1-57 are currently rejected under 35 U.S.C. 103(a) as being unpatentable over Silva et al., US 2004/0224637 in further view of Katz et al., US 6,393,303.

It is respectfully submitted that the rejection of claims 1-57, based upon Silva et al., US 2004/0224637 in view of Katz et al., US 6,393,303, is inapposite and lacks technical merit, and that neither Silva et al, Katz et al, or any other reference of record, alone or in combination with each other, teach, suggest nor infer the claimed invention as set forth in the claims as presented herein in this amendment (both as previously presented in the Amendment C submitted with the filing of the RCE, and as amended herein in this Amendment D).

All of the presently pending claims 1-57 are dependent on the 3 independent claims 1, 43 and 54, which all contain the language "self contained at a first location", to further clarify the language as was previously present in the claims prior to this amendment wherein each of the independent claims recited "at a first location".

Claim 1 as currently amended clarifies further that the "plurality of directional antenna sectors" and "at least one receiving controller" and "at least one transmitting controller " are all

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"self contained at a first location".

This clarifies the previous claim 1 language that both of "at least one receiving controller" and "at least one transmitting controller" are "at a first location", so as to make it totally clear that all of the "plurality of directional antenna sectors" and "at least one receiving controller" and "at least one transmitting controller" are all "self contained at a first location". [Bold emphasis added.]

Thus, as per this amendment, the respective language of claim 1 is now:

"1. (Currently Amended) A wireless system for transmitting and receiving a plurality of data packets, the system comprising:

a plurality of directional antenna sectors self contained at a first location, each of the plurality of directional antenna sectors having a respective associated three-dimensional region of space for transmitting and receiving electromagnetic signals;

at least one receiving controller self contained at the first location;

at least one transmitting controller self contained at the first location;

(...)."

Claim 43 as currently amended clarifies further that the "plurality of directional antenna sectors" are "self contained at a first location".

This clarifies the previous claim 1 language that the "plurality of directional antenna sectors" are "at a first location", so as to make it totally clear that all of the "plurality of directional antenna sectors" are "self contained at a first location" (Bold emphasis added), and that the "measuring electromagnetic signal characteristics of the electromagnetic signal" and the "selecting at least one of said plurality of directional antenna sectors as a selected directional antenna sector, to transmit an electromagnetic signal" are both also "at the first location".

Thus, as per this amendment, the respective language of claim 43 is now:

"43. (Currently Amended) A wireless method for transmitting and receiving a plurality of data packets, the method comprising:

providing a plurality of directional antenna sectors in three-dimensional space

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self contained at a first location;

selecting as selected directional antenna sectors, at least one of said plurality of directional antenna sectors, for receiving of an electromagnetic signal;

coupling each one of said selected directional antenna sectors, one at a time, for measuring electromagnetic signal characteristics of the electromagnetic signal at the first location; and

selecting at least one of said plurality of directional antenna sectors as a selected directional antenna sector, to transmit at the first location an electromagnetic signal comprising at least one data packet responsive to the measuring the received electromagnetic signal characteristics to determine a best-received electromagnetic signal."

Claim 54 as currently amended clarifies further that the "plurality of directional antenna sectors" are "self contained at a first location".

This clarifies the previous claim 1 language that the "receiving and measuring electromagnetic signals" and the "plurality of directional antenna sectors" and the self contained at a first location, and that the "transmitting at least one data packet via the selected directional antenna sector" is at the first location.

Thus, as per this amendment, the respective language of claim 43 is now:

"54. (Currently Amended) A method for transmitting and receiving a plurality of data packets, the method comprising:

receiving and measuring, self contained at a first location, electromagnetic signals via a plurality of directional antenna sectors self contained at the first location, each of said directional antenna sectors having a respective associated three-dimensional region of space;

determining, at the first location, of received electromagnetic signal characteristics responsive to the measuring at each one of the directional antenna sectors to determine a best-received electromagnetic signal;

selecting at least one of the directional antenna sectors as a selected directional

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antenna sector, responsive to the determining of the best-received electromagnetic signal; and  
transmitting, at the first location, at least one data packet via the selected directional antenna sector."

This amendment to that claim language provides additional clarification that the system and methodology as set forth in the independent claims herein, and claims depending therefrom are "self contained at a first location" and thus are clearly patentably distinguishable over all cited art of record.

No new matter is added. The addition of the claim language as per this amendment adds no new matter, and is fully supported in numerous places in the presently pending application. See for example, United States Patent Application Publication No. 20040196834, at Page 35, [0287] FIG. 29, which utilizes the language "self-contained". See also the Figures which clearly also show that the systems and methodology are self-contained at a single location.

It is thus respectfully submitted, that the rejection of Claims 1-57, under 35 U.S.C. 103 (a) as being unpatentable over Silva et al., US 2004/0224637 in further view of Katz et al., US 6,393,303, is overcome and traversed, and that all pending Claims 1-57 as pending herein in this Amendment D are allowable over all art of record.

It is respectfully submitted that by this Amendment, all bases of rejection of the pending claims (as amended) are traversed and overcome, and that the rejection of Claims 1-57 under 35 U.S.C. 103(a) as being anticipated by Silva et al., US 2004/0224637, in further view of Katz et al., US 6,393,303, is hereby traversed and overcome.

Reconsideration is respectfully requested.

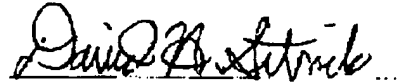
Applicants respectfully submit that the present application is in proper form for allowance. Applicants respectfully request a Notice of Allowance or a Notice of Allowability.

The Director has already been authorized to charge fees in this Application to Sitrick and Sitrick's USPTO Deposit Account: 50-1166. No additional fees are due.

The Examiner is invited to directly communicate with the undersigned, if it will in any way facilitate the prosecution of the Application.

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Respectfully submitted.



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